



6p2135 850

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Donner, et. al.
Serial No.: 09/874,934
Filed: June 6, 2001
For: Encryption Program and Method for
 Conducting Merge/Purge of Mailing Lists

Examiner Paula W. Klimack
Group Art Unit: 2135

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR WITHDRAWAL AS ATTORNEY (37 C.F.R. §10.40(c))

Sir:

The undersigned attorney respectfully requests permission to withdraw from all further responsibility in this case, in accordance with 37 C.F.R. §1.36.

The undersigned counsel was advised by his client, Intrasource, LLC, assignee of the above-referenced application, that Intrasource, LLC was sold to Alvion, Inc. of 2503 Del Prado Blvd. South, Cape Coral, FL 33904. The last known mailing address of the new owner of the application is:

Alvion Technologies, Inc.
2503 Del Prado Blvd. South
Cape Coral, FL 33904

The undersigned counsel has never been contacted by the new owner. The undersigned counsel wrote to the new owner on several occasions requesting instructions, but never received a response. The basis for this request for withdrawal is 37 C.F.R. 10.40(c) §§ (iv)(vi) as the client has failed to pay one or more bills rendered by the undersigned attorney for an unreasonable period of

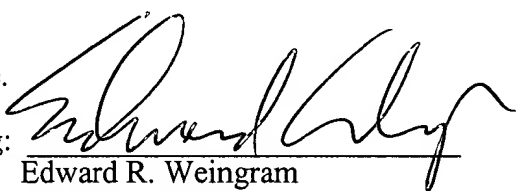
time and does not respond to letters rendering it unreasonably difficult for the undersigned attorney to carry out the employment effectively. Attached are copies of correspondence to Ms. Mary Jo Yaschak of Alvion to which responses were not received.

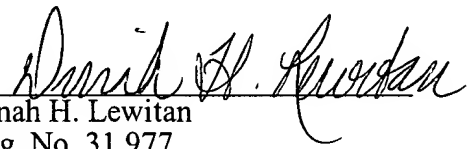
There is an outstanding term for response to the Office Action dated December 2, 2004 that is set to expire on March 2, 2005, (or later, upon resetting of the response date by the Patent Office upon the mailing of corrected pages 6 & 7 of the Office Action, as requested by counsel). The above term is extendable under 37 C.F.R. §1.136(a) until June 2, 2005 upon the payment of extension fees, which fees are not being submitted herewith. Therefore, the amount of time for response, including extension under 37 C.F.R. §1.136(a) is at least five and a half months.

In accordance with 37 C.F.R. §10.40(a), a copy of this request, including attachments, and a copy of the Office Action and our fax to the Examiner, is being sent to Alvion Technologies, Inc., copy attached.

This request is enclosed in triplicate.

Signatures of attorneys withdrawing:

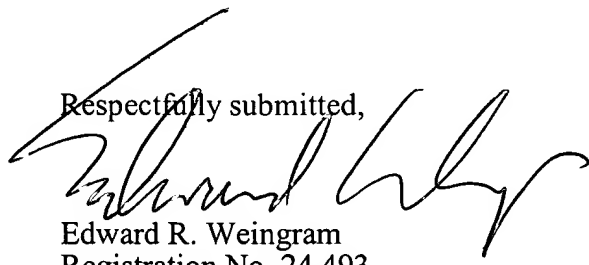

Edward R. Weingram
Reg. No. 24,493


Dinah H. Lewitan
Reg. No. 31,977

NO LONGER WITH THE FIRM: Edward Goldberg, Reg. No. 19, 447

Dated: 12-8-04

Respectfully submitted,


Edward R. Weingram
Registration No. 24,493
WEINGRAM & ASSOCIATES, P.C.
P.O. Box 927
Maywood, NJ 07607
TEL: (201) 843-6300
FAX: (201) 843-6495

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Donner, et. al.
Serial No.: 09/874,934
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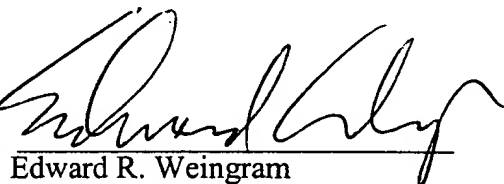
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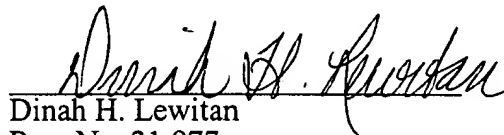
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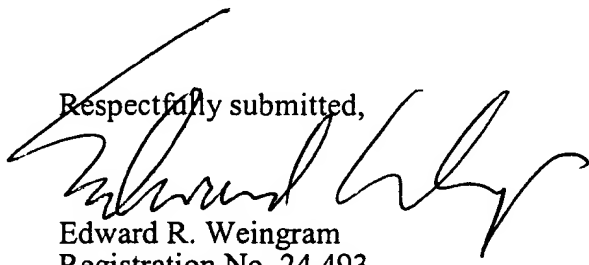

Edward R. Weingram
Reg. No. 24,493


Dinah H. Lewitan
Reg. No. 31,977

NO LONGER WITH THE FIRM: Edward Goldberg, Reg. No. 19, 447

Dated: 12-8-04

Respectfully submitted,


Edward R. Weingram
Registration No. 24,493
WEINGRAM & ASSOCIATES, P.C.
P.O. Box 927
Maywood, NJ 07607
TEL: (201) 843-6300
FAX: (201) 843-6495

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Donner, et. al.
Serial No.: 09/874,934
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Examiner Paula W. Klimack
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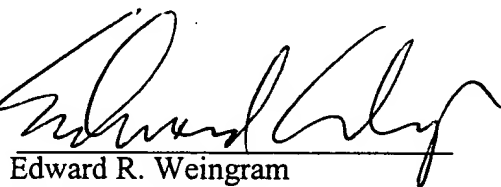
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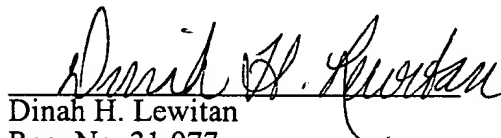
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In accordance with 37 C.F.R. §10.40(a), a copy of this request, including attachments, and a copy of the Office Action and our fax to the Examiner, is being sent to Alvion Technologies, Inc., copy attached.

This request is enclosed in triplicate.

Signatures of attorneys withdrawing:

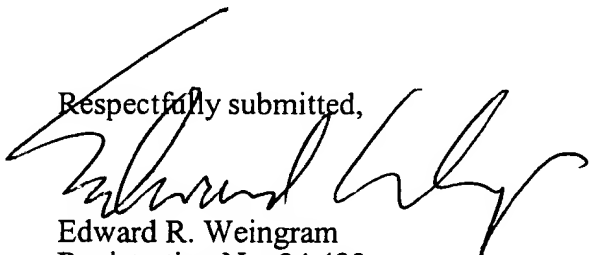

Edward R. Weingram
Reg. No. 24,493


Dinah H. Lewitan
Reg. No. 31,977

NO LONGER WITH THE FIRM: Edward Goldberg, Reg. No. 19, 447

Dated: 12-8-04

Respectfully submitted,


Edward R. Weingram
Registration No. 24,493
WEINGRAM & ASSOCIATES, P.C.
P.O. Box 927
Maywood, NJ 07607
TEL: (201) 843-6300
FAX: (201) 843-6495

WEINGRAM & ASSOCIATES, P.C.

COUNSELLORS AT LAW

210 ROUTE 4 EAST

PARAMUS, NEW JERSEY 07652

TELEPHONE: (201) 843-6300

MAIL TO: P.O. BOX 927
MAYWOOD, NJ 07607

TELEFAX: (201) 843-6495
E-MAIL: IPO@WEINGRAMLAW.COM

PATENTS, TRADEMARKS,
COPYRIGHTS, AND
RELATED CAUSES

EDWARD R. WEINGRAM*
NJ & NY

DODIVA N. GRANT*
NJ & NY

DINAH H. LEWITAN*
NJ, NY & MD

*REGISTERED PATENT ATTORNEY

April 15, 2004

Re: Our File: INTRASOURCE 3.0-002

Serial No. 09/874,934

For: ENCRYPTION PROGRAM AND METHOD FOR
CONDUCTING MERGE/PURGE OF MAILING LISTS

Ms. Mary Jo Yaschak
ALVION, INC.
2503 Del Prado Blvd. South
Cape Coral, FL 33904

Dear Ms. Yaschak:

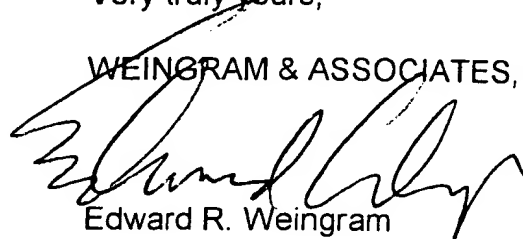
Enclosed is our letter of Feb. 27, 2004.

We have not yet received payment of our invoice.

Please advise.

Very truly yours,

WEINGRAM & ASSOCIATES, P.C.



Edward R. Weingram

1/PB
4D15PB07.INT
Encl. Letter (02/27/04)

WEINGRAM & ASSOCIATES, P.C.

EDWARD R. WEINGRAM*
NJ & NY

DODIVA N. GRANT*
NJ & NY

DINAH H. LEWITAN*
NJ, NY & MD

*REGISTERED PATENT ATTORNEY

COUNSELLORS AT LAW
210 ROUTE 4 EAST
PARAMUS, NEW JERSEY 07652
TELEPHONE: (201) 843-6300

MAIL TO: P.O. BOX 927
MAYWOOD, NJ 07607

TELEFAX: (201) 843-6495
E-MAIL: IP@WEINGRAMLAW.COM

PATENTS, TRADEMARKS,
COPYRIGHTS, AND
RELATED CAUSES

February 27, 2004

Re: Our File: INTRASOURCE 3.0-002
Serial No. 09/874,934
For: ENCRYPTION PROGRAM AND METHOD FOR
CONDUCTING MERGE/PURGE OF MAILING LISTS

Ms. Mary Jo Yaschak
ALVION, INC.
2503 Del Prado Blvd. South
Cape Coral, FL 33904

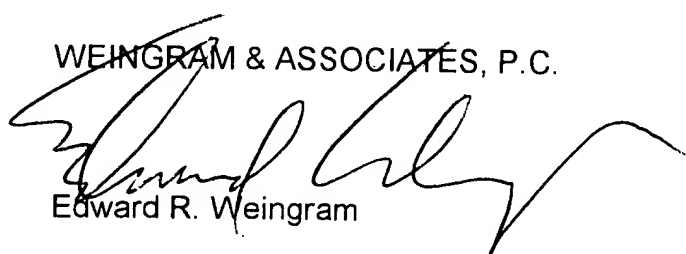
Dear Ms. Yaschak:

Enclosed is the reply from the Patent Office to our Status Inquiry regarding the above identified application.

We are also enclosing our bill for the services in connection with the Status Inquiry.

Very truly yours,

WEINGRAM & ASSOCIATES, P.C.



Edward R. Weingram

1/PB
4B27PB07.INT
Encl. Response to Status Inquiry



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D. C. 20231
www.uspto.gov

Date: 2/20/04

Close

Print

WEINGRAM & ASSOCIATES P.C.
P.O. BOX 927
MAYWOOD NJ 07607

To: Applicant of Serial Number 09874934 (Art Unit 2132)

We project that this application will be first examined in 9 to 12 months from today.

RECEIVED

FEB 20 2004

WEINGRAM & ASSOCIATES

Customer Service Office in Technology Center: 2100

Phone Number: 703-305-3900

FAX Number: 703-872-9306

Applicant/Attorney Contact Information:

Telephone: (201)843-6300

Fax: (201)843-6495

WEINGRAM & ASSOCIATES, P.C.

COUNSELLORS AT LAW

210 ROUTE 4 EAST

PARAMUS, NEW JERSEY 07652

TELEPHONE: (201) 843-6300

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NJ & NY

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DINAH H. LEWITAN*
NJ, NY & MD

*REGISTERED PATENT ATTORNEY

February 27, 2004

Re: Our File: INTRASOURCE 3.0-002

Serial No. 09/874,934

For: ENCRYPTION PROGRAM AND METHOD FOR
CONDUCTING MERGE/PURGE OF MAILING LISTS

Ms. Mary Jo Yaschak
ALVION, INC.
2503 Del Prado Blvd. South
Cape Coral, FL 33904

INVOICE

Review of file

Preparation of Status Inquiry to U.S. Patent and
Trademark Office (USPTO)

Report to client of Response from USPTO

\$150.00

WEINGRAM & ASSOCIATES, P.C.

COUNSELLORS AT LAW
210 ROUTE 4 EAST
PARAMUS, NEW JERSEY 07652
TELEPHONE: (201) 843-6300

MAIL TO: P.O. BOX 927
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TELEFAX: (201) 843-6495
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NJ & NY

DODIVA N. GRANT*
NJ & NY

DINAH H. LEWITAN*
NJ, NY & MD

*REGISTERED PATENT ATTORNEY

February 10, 2004

Re: Our File: INTRASOURCE 3.0-002
Serial No. 09/874,934
For: ENCRIPTION PROGRAM AND METHOD FOR
CONDUCTING MERGE/PURGE OF MAILING LISTS

Ms. Mary Jo Yaschak
ALVION, INC.
2503 Del Prado Blvd. South
Cape Coral, FL 33904

Dear Ms. Yaschak:

We have been advised that Alvion acquired the above captioned patent application when it purchased Intrasource.

This application is still pending in the United States Patent and Trademark Office.

A copy of the Abstract of the patent application is enclosed.

Please advise us if Alvion has any interest in pursuing this application or should we let it go abandoned.

Very truly yours,

WEINGRAM & ASSOCIATES, P.C.

Edward R. Weingram

1/PB
4B10PB07.INT
Encl. Abstract

WEINGRAM & ASSOCIATES, P.C.

COUNSELLORS AT LAW
210 ROUTE 4 EAST
PARAMUS, NEW JERSEY 07652
TELEPHONE: (201) 843-6300

EDWARD R. WEINGRAM*
NJ & NY

DODIVA N. GRANT*
NJ & NY

DINAH H. LEWITAN*
NJ, NY & MD

*REGISTERED PATENT ATTORNEY

MAIL TO: P.O. BOX 927
MAYWOOD, NJ 07607

TELEFAX: (201) 843-6495
E-MAIL: IP@WEINGRAMLAW.COM

PATENTS, TRADEMARKS,
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December 8, 2004

Re: Our File: INTRASOURCE 3.0-002
Serial No. 09/874,934
For: Encryption Program and Method for
Conducting Merge/Purge of Mailing Lists

By Certified Mail

Mr. Chuck Goodspeed
President
Alvion Technologies, Inc.
2503 Del Prado Blvd. South
Cape Coral, FL 33904

Dear Mr. Goodspeed,

Enclosed please find copies of our correspondence with your company dating back to our letter of Feb. 10, 2004 to Ms. Mary Jo Yaschak and subsequent letters. We have received no response to any of these letters. We have not been authorized to represent you in the above-identified matter. We cannot do so in view of the difficulty in communication that we have had and the non-payment of our previous bills. Accordingly, we are withdrawing as patent counsel in connection with this matter.

It has always been our policy to send copies of all communications in the file to the client. The only communication that has not yet been sent is an Office Action dated December 2, 2004 which we received from the U.S. Patent Office. A copy of this communication is enclosed. Note the Patent Office incorrectly photocopied pages 6 and 7 of the Office Action. A copy of our fax to the Examiner pointing out the error is enclosed for your information. We spoke to the Examiner and have been advised that this matter will be attended to in the usual due course of the Patent Office. As of now, the period for timely response to this defective Office Action is March 2, 2005, but this date will be extended once the Patent Office corrects their error.

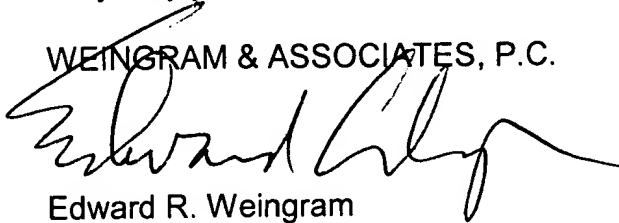
If you wish us to forward the file to you, we can do so. The cost of copying and transferring the file is \$150.00. If we do not hear from you within 30 days after the U.S. Patent Office approves our request to withdraw as attorneys in this matter, we shall assume you have no interest in this matter and we will dispose of our file for this matter.

Alvion Technologies, Inc.
Page 2
December 8, 2004

Enclosed is a copy of the Request For Withdrawal as Attorney which we filed with the U.S. Patent Office. We will do nothing further in this matter unless specifically instructed. Note that a failure to respond to the outstanding Office Action will result in abandonment of the application.

Very truly yours,

WEINGRAM & ASSOCIATES, P.C.

A handwritten signature in black ink, appearing to read "Edward R. Weingram", is written over the printed name and firm name.

Edward R. Weingram

4107pb01.int
Encls.: Office Action
Fax to Examiner
Request for Withdrawal as Attorney and Encls.

BEST AVAILABLE COPY

Practitioner's Docket No. INTRASOURCE 3.0-002**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**☒ In re application of: DONNER ET ALApplication No.: / 09/874,934 Group No. 2135Filed: 06/06/01Examiner: Paula M. KlimackFor: ENCRYPTION PROGRAM AND METHOD FOR CONDUCTING
MERGE/PURGE OF MAILING LISTS☐ Patent No.: _____ Issued: _____** NOTE: Insert name(s) of all inventor(s) and also title for patent.***Assistant Commissioner for Patents
Washington, D.C. 20231****CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office (fax No.: (703) 571-273-3854) on the date shown below:

Letter
Page 6/7

Dinah H. Lewitan

(type or print name of person signing certification)

Date

12/6/04

Signature

Dinah H. Lewitan

Commissioner of Patents
and Trademarks

ATTN: MS. NON-FEE AMENDMENT
Washington, DC 20231

Re: Our File: INTRASOURCE 30-002

Group Art Unit: 2135

Applicant: DONNER ET AL.

Serial No.: 09/874,934

Examiner: PAULA W KLIMACK

Filed: 06/06/01

Batch No.:

For: ENCRYPTION PROGRAM AND METHOD FOR

Dear Sir: CONDUCTING HEARSE/PURGE OF MAILING LISTS

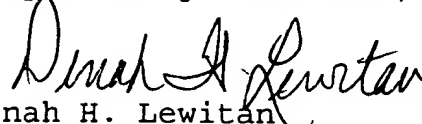
Enclosed for filing in the United States Patent and Trademark Office is the following:

<input checked="" type="checkbox"/> Law Firm Transmittal Letter; +COPY	<input type="checkbox"/> Letter/Official Draftsmen;
<input type="checkbox"/> Response/Amendment;	<input type="checkbox"/> Petition;
<input type="checkbox"/> Affidavit/Declaration;	<input type="checkbox"/> Request for Ext. of Time;
<input type="checkbox"/> Notice of Appeal;	<input type="checkbox"/> Small Entity Statement(s);
<input type="checkbox"/> Assignment and cover sheet;	<input checked="" type="checkbox"/> Postcard acknowledging
<input type="checkbox"/> Certificate of Correction;	receipt of above-identified
<input type="checkbox"/> Check No. _____ - \$ _____;	material
<input type="checkbox"/> Claim of Priority - Cert'd Copies;	<input type="checkbox"/> Reference, Tabs - ;
<input checked="" type="checkbox"/> Communication;	<input checked="" type="checkbox"/> <u>PAGE 6/7 OF OFFICIAL ACTION</u>
<input type="checkbox"/> Drawings _____ sheets -	<input type="checkbox"/> _____
Formal/Informal;	<input type="checkbox"/> _____
<input type="checkbox"/> Issue Fee/Maintenance Fee	<input type="checkbox"/> _____
<input type="checkbox"/> Information Disclosure Statement;	<input type="checkbox"/> _____

Conditional Petition and Fee for Extension of Time: If any extension of time for the accompanying response is required, applicant requests that this be considered a petition therefor.

In connection with the above-identified matter, please charge any additional charges or any other charges relating to this matter to the deposit account of the writer, No. 23-0812. A duplicate copy of this letter is enclosed.

Respectfully submitted,



Dinah H. Lewitan
Registration No. 31,977
WEINGRAM & ASSOCIATES, PC
P.O. BOX 927
Maywood, NJ 07607
TEL: (201) 843-6300
FAX: (201) 843-6495

Enclosures

DATED: 12/6/04

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, ON

DATE: 12/6/04


(Signature)

INTRASOURCE 3.0-002
4L06PB01.INT

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 09/874,934
Inventor: Donner et al
For: ENCRYPTION PROGRAM AND METHOD FOR
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Filed: June 6, 2001

Examiner: Paula W. Klimack
Art Unit: 2135

ATTN: M.S. NON FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Letter

Dear Examiner Klimach:

Further to our telephone conference today, attached are pages 6/7 of the Office
Action dated 12/02/2004.

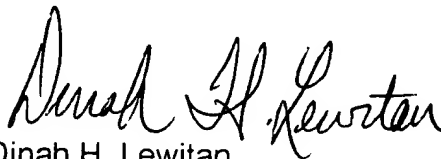
As we discussed, these pages are unreadable. You advised us that you cannot
forward to us clean copies of pages 6 and 7 of the Office Action because the file is
presently being scanned and are unavailable.

We requested an extension of time to respond to the Office Action in view of the fact that the Office Action as received is incomplete. The extension need only be for the time it takes to send us a complete copy of the outstanding Office Action.

Thank you for your assistance in this matter.

Very truly yours,

WEINGRAM & ASSOCIATES, P.C.

A handwritten signature in black ink, appearing to read "Dinah H. Lewitan". The signature is fluid and cursive, with the first name "Dinah" being the most prominent.

Dinah H. Lewitan
Attorney for Client
Reg. 31,977
Phone: 201-843-6300
Fax: 201-843-6495

4L06PB01.INV
Enc. Page 6/7 of Office Action (incomplete)

have been obvious to a person of ordinary skill in the art to add the use of the match code to Marshall in the system of Celik. One of ordinary skill in the art would have been motivated to do this because the use of statistically significant data to identify multiple listings reduces the possibility of redundant mailings and therefore the cost of multiple mailings. In reference to claim 6, wherein the final part and second parts.

Identification information is supplied to the user's device (Fig. 2B).

For earlier communications from the user, the telephone number is (571) 272-3854.

From 9:30 a.m. to 5:30 p.m.

If the search is unsuccessful, the examiner's

9. The fax phone number for the examiner assigned is 703-872-9306.

Information may be obtained from the Patent

Status information for published applications

PAIR. Status information for unpublished

For more information about the PAIR

have questions on access to the Private PAIR

at 866-217-9197 (toll-free).

At the time the invention was made, it was not within the skill in the art to add the use of the match code to Marshall in the system of Celik. One of ordinary skill in the art would not do this because the use of statistically significant data to identify multiple listings reduces the possibility of redundant mailings and therefore the cost of multiple mailings.

In reference to claim 6, wherein the final part and second parts.

Celik does not disclose using a match code

Marshall discloses using the match code combination of the first and second parts (column 1).

At the time the invention was made, it was not within the skill in the art to add the use of the match code to Marshall in the system of Celik. One of ordinary skill in the art would not do this because the use of statistically significant data to identify multiple listings reduces the possibility of redundant mailings and therefore the cost of multiple mailings.

In reference to claim 7 wherein the merge/purge operation output lists.

Celik does not disclose the merge/purge operation output lists.

Marshall discloses the merge/purge operation (Fig. 2).

MEMORY TRANSMISSION REPORT

TIME : DEC-06-2004 02:14PM
TEL NUMBER :
NAME :

FILE NUMBER : 396
DATE : DEC-06 02:13PM
TO : 15712733854
DOCUMENT PAGES : 005
START TIME : DEC-06 02:13PM
END TIME : DEC-06 02:14PM
SENT PAGES : 005
STATUS : OK

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FILE NUMBER : 396

*** SUCCESSFUL TX NOTICE ***

2-2-77-1000 (Rev. 4-80) FORM 2-7 1-62

Practitioner's Docket No. INTRASOURCE 3.0-002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☒ In re application of: DONNER ET AL
Application No.: / 09/874,934 Group No. 2135
Filed: 06/06/01 Examiner: Paula M. Klimack
For: ENCRYPTION PROGRAM AND METHOD FOR CONDUCTING
MERGE/PURGE OF MAILING LISTS
☐ Patent No.: issued:

*NOTE: Insert name(s) of all inventor(s) and also file for patent.

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office (fax No.: (703)571-213-3854) on the date shown below:

Letter
Page 6/7

Dinah H. Lewitan

(Type or print name of person signing certification)

Date

12/6/04

Signature

Dinah H. Lewitan



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,934	06/06/2001	Matthew G. Donner	INTRASOURCE 3.0-002	3522
28885	7590	12/02/2004		
WEINGRAM & ASSOCIATES P.C. P.O. BOX 927 MAYWOOD, NJ 07607				
EXAMINER KLIMACH, PAULA W				
ART UNIT 2135		PAPER NUMBER		

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

DEC 01 2004

WEINGRAM & ASSOCIATES

Office Action Summary

Application No.

09/874,934

Applicant(s)

DONNER ET AL.

Examiner

Paula W Klimach

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07/05/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 12 is rejected as failing to define the invention in the manner required by 35

U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Celik (6,654,768 B2) in view of Marshall (4,853,882).

In reference to claim 1, the application claims a system for eliminating duplicate mailings that comprises steps for a method instead of components of a system. In order to continue prosecution, the system claimed will be read as a method consisting of the listed steps.

In reference to claims 1, 10, and 12, Celik discloses a method and system for storing information in a computer system and retrieving the information from the computer system (abstract). The method including processing the lists from each maintainer (user PC) through a computer software program that establishes a standard format to remove nonconforming addresses (column 6 lines 1-18), applying a key code identification number from said software to identify the source of each record (column 5 lines 1-17), transmitting the processed recorded data to a central merge/purge processing operation, processing the coded recorded data through the to remove duplicate information (part 16 and column 6 lines 1-18), retransmitting the purged recorded output lists data back to the lists maintainers, and processing the purged output data to match back unduplicated match codes to the original lists of names and addresses (column 8 lines 58-61).

However Celik does not disclose applying a match code algorithm from said software to assign a match code to each record of names and addresses on each list. Although Celik discloses providing the user with the updated contacts, Celik does not expressly disclose transmitting mailings from the list maintainers to the purged lists of names and addresses.

Marshall discloses a system and method for protecting against redundant mailings compile mail listings (abstract). The system assigns match code to each record of names and addresses on each list (column 4 lines 1-50). In addition Marshall discloses transmitting

Art Unit: 2135

mailings from the list maintainers to the purged lists of names and addresses (column 9 lines 55-56 and column 2 lines 30-34).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to add the use of the match code to determining if a record is a duplicate as in Marshall in the system of Celik. One of ordinary skill in the art would have been motivated to do this because the use of statistically significant events to identify multiple listings reduces the possibility of redundant mailings and therefore save the cost of multiple mailings.

In reference to claims 2 and 11, wherein the addresses are email addresses (column 6 lines 1-15).

In reference to claim 3, wherein the match code algorithm produces a number for each email address, the number having two parts.

Celik does not disclose using the match code algorithm to produces a number for each email address, the number having two parts.

Marshall discloses using the match code algorithm to produces a number for each email address, the number having two parts (column 5 lines 44-46).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to add the use of the match code to determining if a record is a duplicate as in Marshall in the system of Celik. One of ordinary skill in the art would have been motivated to do this because the use of statistically significant events to identify multiple listings reduces the possibility of redundant mailings and therefore save the cost of multiple mailings.

Art Unit: 2135

In reference to claim 4, wherein the first part of said number is produced by obtaining the ASCII value for each character of the email address, dividing the ASCII value by the character position in the entire string of characters, and storing the first six decimal positions.

Celik does not disclose using a match code.

Marshall discloses using the match code wherein the first part of said number is produced by obtaining the ASCII value for each character of the email address, dividing the ASCII value by the character position in the entire string of characters, and storing the first six decimal positions (column 5 lines 44-46).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to add the use of the match code to determining if a record is a duplicate as in Marshall in the system of Celik. One of ordinary skill in the art would have been motivated to do this because the use of statistically significant events to identify multiple listings reduces the possibility of redundant mailings and therefore save the cost of multiple mailings.

In reference to claim 5, wherein the second part of said number is produced by obtaining the ASCII value for each character of the email address, dividing the ASCII value by that value plus one, and storing the first six decimal positions.

Celik does not disclose using a match code.

Marshall discloses using the match code wherein the second part of said number is produced by obtaining the ASCII value for each character of the email address, dividing the ASCII value by that value plus one, and storing the first six decimal positions (column 5 lines 44-46).

have been obvious to a person of ordinary skill in the art to add the use of the match code to Marshall in the system of Celik. One of ordinary skill in the art would have been motivated to do this because the use of statistically significant data to identify multiple listings reduces the possibility of redundant mailings and therefore reduces the cost of multiple mailings.

lists are retransmitted to each respective list.

Identification information is supplied to the address data (Fig. 2B).

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ose telephone number is (571) 272-3854.

or 9:30 a.m to 5:30 p.m.

are unsuccessful, the examiner's

59. The fax phone number for the

assigned is 703-872-9306.

tion may be obtained from the Patent

status information for published applications

PAIR. Status information for unpublished

For more information about the PAIR

have questions on access to the Private PAIR

) at 866-217-9197 (toll-free).

At the time the invention was made, it was not within the skill in the art to add the use of the match code to Marshall in the system of Celik. One of ordinary skill in the art would not do this because the use of statistically significant data to identify multiple listings reduces the possibility of redundant mailings and therefore reduces the cost of multiple mailings.

In reference to claim 6, wherein the final part and second parts.

Celik does not disclose using a match code

Marshall discloses using the match code combination of the first and second parts (column 1, lines 1-4).

At the time the invention was made, it was not within the skill in the art to add the use of the match code to Marshall in the system of Celik. One of ordinary skill in the art would not do this because the use of statistically significant data to identify multiple listings reduces the possibility of redundant mailings and therefore reduces the cost of multiple mailings.

In reference to claim 7 wherein the merge/purge output lists.

Celik does not disclose the merge/purge operation for output lists.

Marshall discloses the merge/purge operation for output lists (Fig. 2).

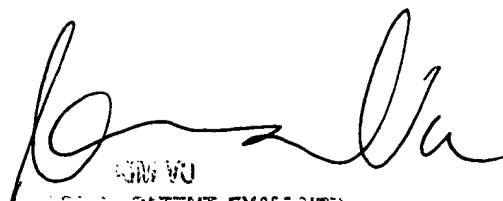
Application/Control Number: 09/874,934

Page 8

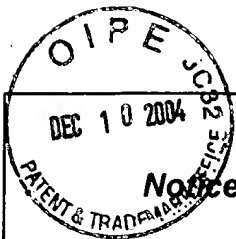
Art Unit: 2135

PWK

Monday, November 29, 2004

A handwritten signature in black ink, appearing to be "B. W. Wu", written over a rectangular stamp.

WU
PATENT EXAMINER
TECHNICAL CENTER 2135



Notice of References Cited

Application/Control No. 09/874,934	Applicant(s)/Patent Under Reexamination DONNER ET AL.	
Examiner Paula W Klimach	Art Unit 2135	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,654,768	11-2003	Celik, Feyzi	707/104.1
	B	US-4,853,882	08-1989	Marshall, Robert	705/14
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



GROUP

Patent and Trademark Office • U.S. DEPARTMENT OF COMMERCE

EDWARD R. WEINGRAM*
NJ & NY

DODIVA N. GRANT*
NJ & NY

DINAH H. LEWITAN*
NJ, NY & MD

*REGISTERED PATENT ATTORNEY



WEINGRAM & ASSOCIATES, P.C.

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TELEPHONE: (201) 843-6300

MAIL TO: P.O. BOX 927
MAYWOOD, NJ 07607

TELEFAX: (201) 843-6495
E-MAIL: IP@WEINGRAMLAW.COM

PATENTS, TRADEMARKS,
COPYRIGHTS, AND
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December 8, 2004

Re: Our File: INTRASOURCE 3.0-002
Serial No. 09/874,934
For: Encryption Program and Method for
Conducting Merge/Purge of Mailing Lists

By Certified Mail

Mr. Chuck Goodspeed
President
Alvion Technologies, Inc.
2503 Del Prado Blvd. South
Cape Coral, FL 33904

Dear Mr. Goodspeed,

Enclosed please find copies of our correspondence with your company dating back to our letter of Feb. 10, 2004 to Ms. Mary Jo Yaschak and subsequent letters. We have received no response to any of these letters. We have not been authorized to represent you in the above-identified matter. We cannot do so in view of the difficulty in communication that we have had and the non-payment of our previous bills. Accordingly, we are withdrawing as patent counsel in connection with this matter.

It has always been our policy to send copies of all communications in the file to the client. The only communication that has not yet been sent is an Office Action dated December 2, 2004 which we received from the U.S. Patent Office. A copy of this communication is enclosed. Note the Patent Office incorrectly photocopied pages 6 and 7 of the Office Action. A copy of our fax to the Examiner pointing out the error is enclosed for your information. We spoke to the Examiner and have been advised that this matter will be attended to in the usual due course of the Patent Office. As of now, the period for timely response to this defective Office Action is March 2, 2005, but this date will be extended once the Patent Office corrects their error.

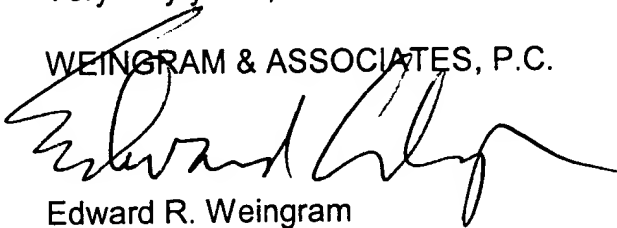
If you wish us to forward the file to you, we can do so. The cost of copying and transferring the file is \$150.00. If we do not hear from you within 30 days after the U.S. Patent Office approves our request to withdraw as attorneys in this matter, we shall assume you have no interest in this matter and we will dispose of our file for this matter.

Alvion Technologies, Inc.
Page 2
December 8, 2004

Enclosed is a copy of the Request For Withdrawal as Attorney which we filed with the U.S. Patent Office. We will do nothing further in this matter unless specifically instructed. Note that a failure to respond to the outstanding Office Action will result in abandonment of the application.

Very truly yours,

WEINGRAM & ASSOCIATES, P.C.

A handwritten signature in black ink, appearing to read 'Edward R. Weingram', is written over the printed name and firm name.

Edward R. Weingram

4107pb01.int

Encls.: Office Action

Fax to Examiner

Request for Withdrawal as Attorney and Encls.

BEST AVAILABLE COPY

Practitioner's Docket No. INTRASOURCE 3.0-002**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**☒ In re application of: DONNER ET ALApplication No.: / 09/874,934 Group No. 2135Filed: 06/06/01Examiner: Paula M. KlimackFor: ENCRYPTION PROGRAM AND METHOD FOR CONDUCTING
MERGE/PURGE OF MAILING LISTS☐ Patent No.: _____ Issued: _____**NOTE: Insert name(s) of all inventor(s) and also title for patent.*Assistant Commissioner for Patents
Washington, D.C. 20231**CERTIFICATION OF FACSIMILE TRANSMISSION**I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office (fax No.: (703) 571-223-3854) on the date shown below.Letter
Page 6/7Dinah H. Lewitan

(type or print name of person signing certification)

Date

12/6/04

Signature

Dinah H. Lewitan

Commissioner of Patents
and Trademarks

ATTN: MS. NON-FEE AMENDMENT
Washington, DC 20231

Re: Our File: INTRASOURCE 30-002

Group Art Unit: 2135

Applicant: DONNER et al.

Serial No.: 09/874,934

Examiner: PAULA W KLIMACK

Filed: 06/06/01

For:

Batch No.:

ENCRYPTION PROGRAM AND METHOD FOR

Dear Sir: CONDUCTING MERGE/PURGE OF MAILING LISTS

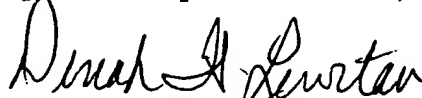
Enclosed for filing in the United States Patent and Trademark Office is the following:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Law Firm Transmittal Letter; +copy | <input type="checkbox"/> Letter/Official Draftsman; |
| <input type="checkbox"/> Response/Amendment; | <input type="checkbox"/> Petition; |
| <input type="checkbox"/> Affidavit/Declaration; | <input type="checkbox"/> Request for Ext. of Time; |
| <input type="checkbox"/> Notice of Appeal; | <input type="checkbox"/> Small Entity Statement(s); |
| <input type="checkbox"/> Assignment and cover sheet; | <input checked="" type="checkbox"/> Postcard acknowledging |
| <input type="checkbox"/> Certificate of Correction; | receipt of above-identified |
| <input type="checkbox"/> Check No. _____ - \$ _____; | material |
| <input type="checkbox"/> Claim of Priority - Cert'd Copies; | <input type="checkbox"/> Reference, Tabs - ; |
| <input checked="" type="checkbox"/> Communication; | <input checked="" type="checkbox"/> <u>PAGE 6/7 OF OFFICIAL ACTION</u> |
| <input type="checkbox"/> Drawings _____ sheets - | <input type="checkbox"/> _____ |
| Formal/Informal; | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Issue Fee/Maintenance Fee | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Information Disclosure Statement; | <input type="checkbox"/> _____ |

Conditional Petition and Fee for Extension of Time: If any extension of time for the accompanying response is required, applicant requests that this be considered a petition therefor.

In connection with the above-identified matter, please charge any additional charges or any other charges relating to this matter to the deposit account of the writer, No. 23-0812. A duplicate copy of this letter is enclosed.

Respectfully submitted,



Dinah H. Lewitan
Registration No. 31,977
WEINGRAM & ASSOCIATES, PC
P.O. BOX 927
Maywood, NJ 07607
TEL: (201) 843-6300
FAX: (201) 843-6495

Enclosures

DATED: 12/6/04

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, ON

DATE: 12/6/04


(Signature)

INTRASOURCE 3.0-002
4L06PB01.INT

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 09/874,934
Inventor: Donner et al
For: ENCRYPTION PROGRAM AND METHOD FOR
 CONDUCTING MERGE/PURGE OF MAILING LISTS
Filed: June 6, 2001

Examiner: Paula W. Klimack
Art Unit: 2135

ATTN: M.S. NON FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Letter

Dear Examiner Klimach:

Further to our telephone conference today, attached are pages 6/7 of the Office
Action dated 12/02/2004.

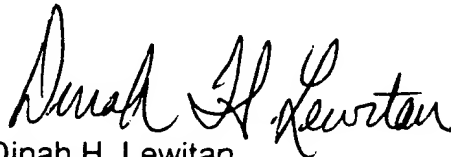
As we discussed, these pages are unreadable. You advised us that you cannot
forward to us clean copies of pages 6 and 7 of the Office Action because the file is
presently being scanned and are unavailable.

We requested an extension of time to respond to the Office Action in view of the fact that the Office Action as received is incomplete. The extension need only be for the time it takes to send us a complete copy of the outstanding Office Action.

Thank you for your assistance in this matter.

Very truly yours,

WEINGRAM & ASSOCIATES, P.C.

A handwritten signature in black ink, appearing to read "Dinah H. Lewitan". The signature is fluid and cursive, with the first name "Dinah" being more prominent.

Dinah H. Lewitan
Attorney for Client
Reg. 31,977
Phone: 201-843-6300
Fax: 201-843-6495

4L06PB01.INV

Enc. Page 6/7 of Office Action (incomplete)

have been obvious to a person of ordinary
 ermining if a record is a duplicate as in
 l in the art would have been motivated to
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ts are retransmitted to each respective list

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 se telephone number is (571) 272-3854.

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are unsuccessful, the examiner's

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signed is 703-872-9306.

ion may be obtained from the Patent

atus information for published applications

AIR. Status information for unpublished

for more information about the PAIR

ve questions on access to the Private PAIR

at 866-217-9197 (toll-free).

At the time the invention was made, it w
 skill in the art to add the use of the match code t
 Marshall in the system of Celik. One of ordinar
 do this because the use of statistically significan
 possibility of redundant mailings and therefore s

*In reference to claim 6, wherein the fina
 and second parts.*

Celik does not disclose using a match cc

Marshall discloses using the match code
 combination of the first and second parts (colum

At the time the invention was made, it w
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 Marshall in the system of Celik. One of ordinar
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*In reference to claim 7 wherein the mer
 output lists.*

Celik does not disclose the merge/purge
 lists.

Marshall discloses the merge/purge ope
 (Fig. 2).

MEMORY TRANSMISSION REPORT

TIME : DEC-06-2004 02:14PM
TEL NUMBER :
NAME :

FILE NUMBER : 396
DATE : DEC-06 02:13PM
TO : 15712733854
DOCUMENT PAGES : 005
START TIME : DEC-06 02:13PM
END TIME : DEC-06 02:14PM
SENT PAGES : 005
STATUS : OK

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FILE NUMBER : 396

*** SUCCESSFUL TX NOTICE ***

8-677-1075 (Rev. 4-88)

FORM 2-7

1-42

Practitioner's Docket No. INTRASOURCE 3-0-002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☒ In re application of: DONNER ET AL
Application No.: / 09/874,934 Group No. 2135
Filed: 06/06/01 Examiner: Paula M. Klimack
For: ENCRYPTION PROGRAM AND METHOD FOR CONDUCTING
MERGE/PURGE OF MAILING LISTS
☐ Patent No.: Issued:

*NOTE: Insert name(s) of all inventor(s) and also title for patent.

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office (fax No.: (703) 571-223-3854) on the date shown below:

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Page 6/7

Dinah H. Lewitan

(Type or print name of person signing certification)

Date

12/6/04

Signature

Dinah H. Lewitan



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMPTON BUILDING
P.O. BOX 2000
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,934	06/06/2001	Matthew G. Donner	INTRASOURCE 3.0-002	3522

28885 7590 12/02/2004
WEINGRAM & ASSOCIATES P.C.
P.O. BOX 927
MAYWOOD, NJ 07607

EXAMINER

KLIMACH, PAULA W

ART UNIT PAPER NUMBER

2135

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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DEC 01 2004

WEINGRAM & ASSOCIATES

Office Action Summary

Application No.

09/874,934

Applicant(s)

DONNER ET AL.

Examiner

Paula W Klimach

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07/05/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 12 is rejected as failing to define the invention in the manner required by 35

U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Celik (6,654,768 B2) in view of Marshall (4,853,882).

In reference to claim 1, the application claims a system for eliminating duplicate mailings that comprises steps for a method instead of components of a system. In order to continue prosecution, the system claimed will be read as a method consisting of the listed steps.

In reference to claims 1, 10, and 12, Celik discloses a method and system for storing information in a computer system and retrieving the information from the computer system (abstract). The method including processing the lists from each maintainer (user PC) through a computer software program that establishes a standard format to remove nonconforming addresses (column 6 lines 1-18), applying a key code identification number from said software to identify the source of each record (column 5 lines 1-17), transmitting the processed recorded data to a central merge/purge processing operation, processing the coded recorded data through the to remove duplicate information (part 16 and column 6 lines 1-18), retransmitting the purged recorded output lists data back to the lists maintainers, and processing the purged output data to match back unduplicated match codes to the original lists of names and addresses (column 8 lines 58-61).

However Celik does not disclose applying a match code algorithm from said software to assign a match code to each record of names and addresses on each list. Although Celik discloses providing the user with the updated contacts, Celik does not expressly disclose transmitting mailings from the list maintainers to the purged lists of names and addresses.

Marshall discloses a system and method for protecting against redundant mailings compile mail listings (abstract). The system assigns match code to each record of names and addresses on each list (column 4 lines 1-50). In addition Marshall discloses transmitting

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mailings from the list maintainers to the purged lists of names and addresses (column 9 lines 55-56 and column 2 lines 30-34).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to add the use of the match code to determining if a record is a duplicate as in Marshall in the system of Celik. One of ordinary skill in the art would have been motivated to do this because the use of statistically significant events to identify multiple listings reduces the possibility of redundant mailings and therefore save the cost of multiple mailings.

In reference to claims 2 and 11, wherein the addresses are email addresses (column 6 lines 1-15).

In reference to claim 3, wherein the match code algorithm produces a number for each email address, the number having two parts.

Celik does not disclose using the match code algorithm to produces a number for each email address, the number having two parts.

Marshall discloses using the match code algorithm to produces a number for each email address, the number having two parts (column 5 lines 44-46).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to add the use of the match code to determining if a record is a duplicate as in Marshall in the system of Celik. One of ordinary skill in the art would have been motivated to do this because the use of statistically significant events to identify multiple listings reduces the possibility of redundant mailings and therefore save the cost of multiple mailings.

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In reference to claim 4, wherein the first part of said number is produced by obtaining the ASCII value for each character of the email address, dividing the ASCII value by the character position in the entire string of characters, and storing the first six decimal positions.

Celik does not disclose using a match code.

Marshall discloses using the match code wherein the first part of said number is produced by obtaining the ASCII value for each character of the email address, dividing the ASCII value by the character position in the entire string of characters, and storing the first six decimal positions (column 5 lines 44-46).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to add the use of the match code to determining if a record is a duplicate as in Marshall in the system of Celik. One of ordinary skill in the art would have been motivated to do this because the use of statistically significant events to identify multiple listings reduces the possibility of redundant mailings and therefore save the cost of multiple mailings.

In reference to claim 5, wherein the second part of said number is produced by obtaining the ASCII value for each character of the email address, dividing the ASCII value by that value plus one, and storing the first six decimal positions.

Celik does not disclose using a match code.

Marshall discloses using the match code wherein the second part of said number is produced by obtaining the ASCII value for each character of the email address, dividing the ASCII value by that value plus one, and storing the first six decimal positions (column 5 lines 44-46).

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Application/Control Number: 09/874,934

Art Unit: 2135

have been obvious to a person of ordinary
termining if a record is a duplicate as in
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sts are retransmitted to each respective list

entification information is supplied to the
ss data (Fig. 2B).

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signed is 703-872-9306.

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AIR. Status information for unpublished

for more information about the PAIR

ve questions on access to the Private PAIR

at 866-217-9197 (toll-free).

At the time the invention was made, it w
skill in the art to add the use of the match code t
Marshall in the system of Celik. One of ordinar
do this because the use of statistically significant
possibility of redundant mailings and therefore s

In reference to claim 6, wherein the fina
and second parts.

Celik does not disclose using a match cc

Marshall discloses using the match code
combination of the first and second parts (colum

At the time the invention was made, it w
skill in the art to add the use of the match code
Marshall in the system of Celik. One of ordinar
do this because the use of statistically significant
possibility of redundant mailings and therefore

In reference to claim 7 wherein the mer
output lists.

Celik does not disclose the merge/purge
lists.

Marshall discloses the merge/purge ope
(Fig. 2).

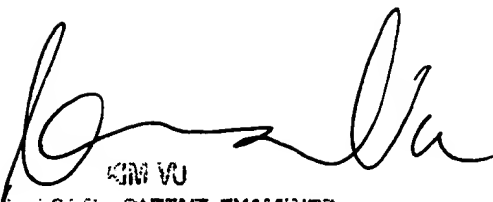
Application/Control Number: 09/874,934

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Art Unit: 2135

PWK

Monday, November 29, 2004


KIM VO
PATENT EXAMINER
PATENT CENTER 2135

Notice of References Cited

Application/Control No.

09/874,934

Applicant(s)/Patent Under
Reexamination
DONNER ET AL.

Examiner

Paula W Klimach

Art Unit

2135

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,654,768	11-2003	Celik, Feyzi	707/104.1
	B	US-4,853,882	08-1989	Marshall, Robert	705/14
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

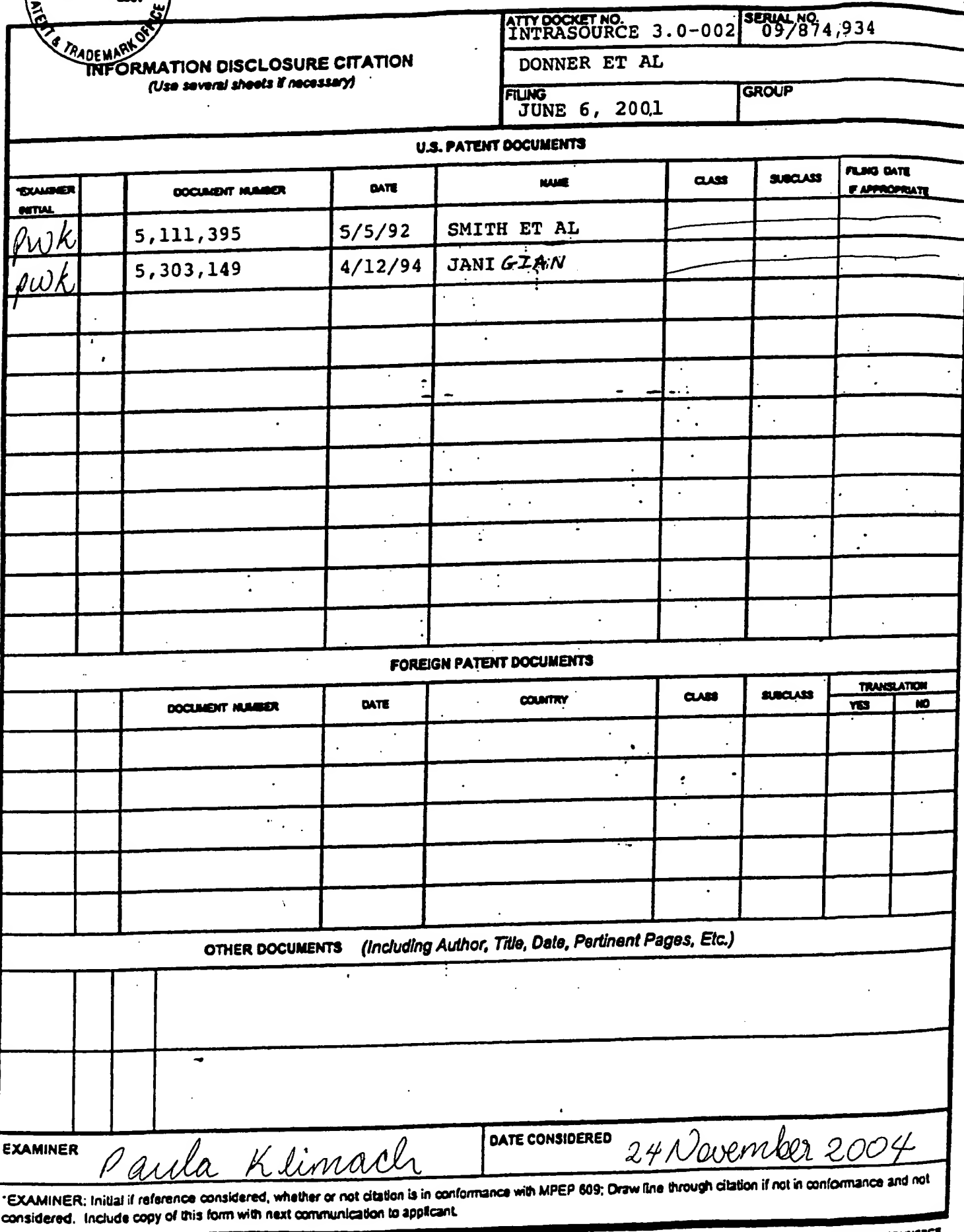
FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



MAIL STOP REQ. FOR WITHDRAWAL
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Re: Our File: INTRASOURCE 3.0-002 Group Art Unit: 2135

Applicant: DONNER et al.

Serial No.: 09/874,934

Examiner: Paula Klimack

Filed: June 6, 2001

For: ENCRYPTION PROGRAM AND METHOD Batch No.:

FOR CONDUCTING MERGE/PURGE OF MAILING LISTS
Dear Sir:

Enclosed for filing in the United States Patent and Trademark Office is the following:

- | | |
|--|---|
| (X) Law Firm Transmittal Letter & COPY | () Letter/Official Draftsmen |
| () Response/Amendment | () Petition |
| () Affidavit/Declaration | () Request for Ext. of Time |
| () Notice of Appeal | () Small Entity Statement(s) |
| () Assignment and cover sheet | (X) Postcard acknowledging receipt of above-identified material |
| () Certificate of Correction | |
| () Check No. _____ - \$ _____ | |
| () Claim of Priority - Cert'd Copies | (IN TRIPLICATE) |
| () Communication | (X) REQUEST FOR WITHDRAWAL AS ATTORNEY |
| () Drawings _____ sheets - Formal/Informal | (X) COPIES OF PRIOR CORRESPONDENCE W/ |
| () Issue Fee/Maintenance Fee | (X) COPY OF LETTER TO ALVION |
| () Information Disclosure Statement; Reference, Tabs O.A. & FAX TO EXAMINER | () DATED 12/08/04 FORWARDING |

Conditional Petition and Fee for Extension of Time: If any extension of time for the accompanying response is required, applicant requests that this be considered a petition therefor.

In connection with the above-identified matter, please charge any additional fees or any other charges related to this matter to the deposit account of the writer, No. 23-0812.

Respectfully submitted,

Edward R. Weingram
Registration No. 24,493
WEINGRAM & ASSOCIATES, PC
P.O. BOX 927
Maywood, NJ 07607
TEL: (201) 843-6300
FAX: (201) 843-6495

Enclosures

DATED: 12-8-04

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, ON

DATE: 12-8-04

(Signature)

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MAIL STOP REQ. FOR WITHDRAWAL
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Re: Our File: INTRASOURCE 3.0-002 Group Art Unit: 2135

Applicant: DONNER et al.

Serial No.: 09/874,934

Examiner: Paula Klimack

Filed: June 6, 2001

For: ENCRYPTION PROGRAM AND METHOD Batch No.:

FOR CONDUCTING MERGE/PURGE OF MAILING LISTS

Dear Sir:

Enclosed for filing in the United States Patent and Trademark Office is the following:

- | | |
|--|---|
| (X) Law Firm Transmittal Letter & COPY | () Letter/Official Draftsmen |
| () Response/Amendment | () Petition |
| () Affidavit/Declaration | () Request for Ext. of Time |
| () Notice of Appeal | () Small Entity Statement(s) |
| () Assignment and cover sheet | (X) Postcard acknowledging receipt of above-identified material |
| () Certificate of Correction | |
| () Check No. _____ - \$ _____ | |
| () Claim of Priority - Cert'd Copies | (IN TRIPPLICATE) |
| () Communication | (X) REQUEST FOR WITHDRAWAL AS ATTORNEY |
| () Drawings _____ sheets - Formal/Informal | (X) COPIES OF PRIOR CORRESPONDENCE W/ |
| () Issue Fee/Maintenance Fee | (X) COPY OF LETTER TO ALVION |
| () Information Disclosure Statement; Reference, Tabs O.A. & FAX TO EXAMINER | () DATED 12/08/04 FORWARDING ALVION |

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Respectfully submitted,

Enclosures

DATED: 12-8-04

Edward R. Weingram
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(Signature)

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